

# EXHIBIT D

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

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JOHN DOE,

Plaintiff,

v.

TRUSTEES OF DARTMOUTH COLLEGE,

Defendant.

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\* 1:19-cv-13-JL  
\* January 24, 2019  
\* 9:56 a.m.  
\*  
\*  
\*

REDACTED TRANSCRIPT OF MOTION FOR PRELIMINARY INJUNCTION  
BEFORE THE HONORABLE JOSEPH N. LAPLANTE

Appearances:

For the Plaintiff: William E. Christie, Esq.  
Alexander William Campbell, Esq.  
Shaheen & Gordon

For the Defendant: Daryl J. Lapp, Esq.  
Elizabeth H. Kelly, Esq.  
Locke Lord LLP

Court Reporter: Liza W. Dubois, RMR, CRR  
Official Court Reporter  
U.S. District Court  
55 Pleasant Street  
Concord, New Hampshire 03301  
(603) 225-1442

1 favor of females over males. I don't see that in the  
2 record and I didn't hear any evidence today that would  
3 suggest gender bias to me, although certainly it does  
4 appear that Dartmouth's been under a lot of pressure  
5 about gender bias issues and sexual inequity on campus.  
6 There's no question that's in the air. And, frankly,  
7 that's one of the reasons why, honestly, this case  
8 probably -- I don't want to prejudge anything, I have an  
9 open mind if the motion's filed -- but I think this case  
10 likely survives 12(b) scrutiny.

11 I don't think it gets dismissed on the  
12 complaint. And that's one of the reasons, because a  
13 jury could probably find gender bias here if it wanted  
14 to. I just don't find a likelihood of success on that,  
15 on the Title IX claim.

16 There's also evidence here -- I mean, I don't  
17 have to recount it all. There were several  
18 investigations by the federal government regarding  
19 Dartmouth's handling of sexual misconduct. There's a --  
20 this ongoing controversy regarding a lawsuit last  
21 November against Dartmouth for ignoring sexual  
22 harassments by professors -- I think it was in the  
23 psychology department? I'm not sure. You people are  
24 nodding from Dartmouth here. The psychology department,  
25 yeah.